

REMARKS

Claims 46 and 48-90 are now present in this application.

The specification and claim 46 has been amended and claim 47 has been canceled without prejudice or disclaimer. Reconsideration of the application, as amended, is respectfully requested.

Claims 71-90 are withdrawn from further consideration. The Examiner is incorrect, however, in stating that the election of Group I was without traverse. It is the Applicants' position that it should be no undue burden on the Examiner to consider all claims in this single application. Moreover as stated in the April 14, 2003 reply to the restriction requirement the same technical features are in claims 46 and 71. It is requested that the restriction requirement be reconsidered and withdrawn. If the Examiner continues to persist in this restriction requirement, Applicants reserve the right to file a divisional application to these claims at a later time if so desired.

The instant application is a national phase of a PCT application. Thus, the International Bureau should have provided the abstract. Nonetheless, in order to expedite prosecution, another abstract has been presented hereinabove. It is respectfully requested that any objection to the application now be withdrawn.

Claim 46 has been objected to because of a lack of a transition word. Because this objection has now been addressed by the foregoing amendments, it is respectfully requested that the objection to claim 46 now be reconsidered and withdrawn.

Claims 46-56, 60-62, 69 and 70 stand rejected under 35 USC §102(b) as being anticipated by GB 2,224,147 to Canziani. This rejection is respectfully traversed.

Claims 63-68 stand rejected under 35 USC §103 as being unpatentable over Canziani. This rejection is respectfully traversed.

Applicants gratefully acknowledge that the Examiner considers the subject matter of claim 57, 58, and 59 to contain allowable subject matter. However, as will be set forth, it is respectfully submitted that independent claim 46 and its dependent claims should also now be in condition for allowance.

The patent to Canziani discloses an airport baggage-handling system using track-guided carriages. The system sorts items from loading stations to unloading stations that are not yet established at the moment of the item introduction into the system (the so-called "early baggage"). The system comprises storage zones for such items.

Nowhere in Canziani is it disclosed that substantially all of the items loaded into the system are removed to the storage zone.

Furthermore, the system disclosed in Canziani is completely unsuitable for this since the paths of the storage zone constitute a part of the conveying paths between the loading stations and the unloading stations when no items are stored in the storage zone. In this event the "storage zone" does not function as a storage area. Thus, when the storage zone actually functions as such, the path is blocked by stored items. When it constitutes part of the conveying paths, it cannot also be used as a storage zone. Thus, in the system disclosed in Canziani it is neither desirable nor practical to store substantially all of the items in the storage zone, and there is therefore no suggestion that this may be advantageous.

However, it is a great advantage for efficient operation of a system according to the present invention that substantially all of the articles are entered into the article storage arrangement because, in this case, the discharge stations only have to be allocated to receive items for a given destination for a short period at a time, typically a period of the order of 5-15 minutes. This is due to the fact that the articles to be conveyed to the discharge station within the period are present in the article storage arrangement. Thus, the discharge station is only occupied for the short period in which at least a part of the amount of items for a given destination are discharged, and the discharge station may be allocated to another destination. The discharge

stations are utilized very intensively by this method and the number of discharge stations for a conveyor system of a given sorting capacity may be reduced with 30-80%, depending on the composition of the article flow through the system. This is great advantage because the discharge stations are very expensive and also very space consuming. For example, the description on page 4, lines 13-23 in the present application discusses this.

It is respectfully submitted that the device of Canziani would neither suggest nor render obvious the claimed method of conveying items of the present application. Accordingly, it is respectfully requested that the 35 USC §102(b) and §103 rejections now be reconsidered and withdrawn.

Favorable reconsideration and an early Notice of Allowance are earnestly solicited.

In the event there are any outstanding matters remaining in this application, the Examiner is advised to contact the undersigned (703) 205-8000 in the Washington, D.C. area.

Because the supplemental office action of December 2, 2003 sets a three-month period for response, it is respectfully submitted that this Amendment is being timely filed. No extensions of time should be necessary. If, however, this understanding is in error, please consider this as a petition for the extension of time and charge the Deposit Account No. 02-2448.

Appl. No. 09/720,468

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By Joe McKinney Muncy
Joe McKinney Muncy, #32,334

KM/jeb
0459-0527P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

Attachment(s)

(Rev. 09/30/03)